



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

17575 Peak Avenue Morgan Hill CA 95037 (408) 778-6480 Fax (408) 779-7236
Website Address: www.morgan-hill.ca.gov / Email: General@ch.morgan-hill.ca.gov

PLANNING COMMISSION

DECEMBER 8, 2009

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR, WAYNE TANDA
VICE-CHAIR, COMMISSIONER JOSEPH H. MUELLER
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER NANCY K. HART
COMMISSIONER SUSAN KOEPP-BAKER
COMMISSIONER JOHN LIEGL
COMMISSIONER JOHN A. MONIZ

WORKSHOP – 6:00 P.M.

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes*

WORKSHOP – 6:00 P.M.

- 1) Evaluation of Residential Development Control System projects in the Fiscal Year 2009-2010 competitions. Building allocation for Fiscal Year 2011-2012.

Recommendation: Discuss global scoring issues and procedures for conducting the public hearings.

REGULAR MEETING – 7:00 P.M.

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

ORDERS OF THE DAY

MINUTES: October 20, 2009 and October 27, 2009

CONSENT:

Time Estimate

- 1) **2 Minutes** **EXTENSION OF TIME, EOT-09-09(UP-08-11): BARRETT-COLSON & COLSON:** The applicant is requesting approval of a two-year extension of time to commence the operation of a congregate care retirement residence near the northwest corner of Barrett Avenue and Butterfield Boulevard, extending the deadline from February 5, 2010 to February 5, 2012.

Recommendation: Approve by minute action.

PUBLIC HEARINGS:

- 2) **15 Minutes** **USE PERMIT, UP-09-07: MADRONE-ANYTIME FITNESS:** A request for approval of a conditional use permit to operate a 3,940-sf fitness center in the Madrone Village Shopping Center. The shopping center is located at the northwest corner of Cochrane Rd. and Madrone Pkwy in a PUD, Planned Unit Development, zoning district. The fitness center is proposed to operate 24 hours a day, seven days a week. (APN 726-33-031)

Recommendation: Open Public Hearing/Adopt Resolution approving the request.

OTHER BUSINESS:

3) 2 Hours RESIDENTIAL DEVELOPMENT CONTROL SYSTEM(RDCS) PUBLIC HEARINGS FOR THE 2009-10 COMPETITIONS

APPLICANTS FOR THE FOLLOWING PROPOSED RESIDENTIAL DEVELOPMENTS HAVE REQUESTED A BUILDING ALLOTMENT UNDER THE CITY'S RESIDENTIAL DEVELOPMENT CONTROL SYSTEM, PURSUANT TO CHAPTER 18.78 OF THE MORGAN HILL MUNICIPAL CODE:

- a) **MEASURE C, MC-09-02: E. DUNNE-MENDOZA:** A request for a Residential Development Control System building allocation for Fiscal Year 2011-2012. The 8-unit mixed use project is proposed on a .58 acre site located on the south side of E. Dunne Ave. 115 ft. east of the Monterey Rd. and Dunne Ave. intersection. (APN 817-01-031)
- b) **MEASURE C, MC-09-03: CAMPOLI-E & H:** A request for a Residential Development Control System building allocation for Fiscal Year 2011-2012. The proposed 12-unit single-family home project is located on a 2.3 acre site on the west side of Old Monterey Rd. 85 ft. north of the intersection of Paloma Dr. and Old Monterey Rd. (APN 764-24-010)
- c) **MEASURE C, MC-09-04: COCHRANE-BORELLO:** A request for a Residential Development Control System building allocation for Fiscal Year 2011-2012. The proposed 245-unit single family home project is proposed on a 120 acre site located between Peet Rd., Cochrane Rd. and Half Rd. (APN 728-34-009)
- d) **MEASURE C, MC-09-05: MONTEREY-LIOU:** A request for a Residential Development Control System building allocation for Fiscal Year 2011-2012. The proposed 38-unit multi-family mixed use project is proposed on a 2.9 acre site located on the west side of Monterey Rd., 300 ft. north of the intersection of Cosmo Ave. and Monterey Rd. (APN 767-17-046)
- e) **MEASURE C, MC-09-06: MONTEREY-DYNASTY:** A request for a Residential Development Control System building allocation for Fiscal Year 2011-2012. The proposed 129 unit project is located on a 7.3 acre site on the west side of Monterey Rd., 780 ft. north of the Watsonville Rd. and Monterey Rd. intersection. (APN 767-23-026 & 029)
- f) **MEASURE C, MC-09-07: SANTA TERESA-GARCIA:** A request for a Residential Development Control System building allocation for Fiscal Year 2011-2012. The proposed 15-unit custom lot single family development is located on an 18 acre site on the south west quadrant of the intersection of Watsonville Rd. and Santa Teresa Blvd. (APN 779-02-023)
- g) **MEASURE C, MC-09-08: E. DUNNE-SO. VALLEY DEVELOPERS:** A request for a Residential Development Control System building allocation for Fiscal Year 2011-2012. The proposed 50-unit multi-family development is located on a 4.2 acre site on the

PLANNING COMMISSION AGENDA

DECEMBER 8, 2009

PAGE 4

south east quadrant of the intersection of E. Dunne Ave. and Church St. (APN 817-01-056 & 057)

Recommendation: Open/Close public hearing following receipt of public testimony for each application and direct City Staff on those categories in each project evaluation that should be given further review.

THE DECEMBER 22, 2009 MEETING HAS BEEN CANCELED

TENTATIVE AGENDA FOR THE JANUARY 12, 2010 MEETING

- ZA-09-12: City of M.H. – Zoning Text Amend.
- GPA-09-08: City of M.H. – Bike/Trails Master Plan Update
- ZA-09-04: City of M.H. – Amend Seismic & Geologic Combining Districts Ch 18.43&45 of M.H. Muni Code
- ZA-09-07/SD-09-03/DA-09-03./DS-09-03/EA-09-20: Murphy-Pancal
- SD-09-02/DA-09-02/DS-09-02: Clayton-O'Brien
- RDCS Final Score point recommendations
- Solicit Input for the FY2010/00 CIP Program

ANNOUNCEMENTS

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

PLANNING COMMISSION AGENDA

DECEMBER 8, 2009

PAGE 5

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

NOTICE

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the Planning Commission less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17555 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the Planning Commission. (Pursuant to Government Code 54957.5)